

## Re: McGibney depo

Sent: Friday, May 29, 2020 11:14 AM

From: Jason L. Van Dyke [jasonleevandyke@protonmail.com](mailto:jasonleevandyke@protonmail.com)

To: Tom Retzlaff [retzlaff@texas.net](mailto:retzlaff@texas.net)

CC: Jeffrey Dorrell [jdorrell@hanszenlaporte.com](mailto:jdorrell@hanszenlaporte.com)

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Mr. Retzlaff:

For purposes of certificate of conference under Rule 191.2, I am opposed to any continuance of this case and the conducting of any discovery after the end of the discovery period on this case.

Jason L. Van Dyke  
PO Box 2618  
Decatur, TX 76234  
E - [jasonleevandyke@protonmail.com](mailto:jasonleevandyke@protonmail.com)

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Friday, May 29, 2020 9:31 AM, Tom Retzlaff <[retzlaff@texas.net](mailto:retzlaff@texas.net)> wrote:

Dude, do you not know how to fucking read?? The discovery period ends 30 days before the trial setting. If the fucking trial setting is moved, so is the discovery period.

Tom Retzlaff

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**From:** [jasonleevandyke@protonmail.com](mailto:jasonleevandyke@protonmail.com)  
**Sent:** May 29, 2020 7:11 AM  
**To:** [retzlaff@texas.net](mailto:retzlaff@texas.net)  
**Reply-to:** [jasonleevandyke@protonmail.com](mailto:jasonleevandyke@protonmail.com)  
**Cc:** [JDorrell@hanszenlaporte.com](mailto:JDorrell@hanszenlaporte.com)  
**Subject:** Re: McGibney depo  
Mr. Retzlaff:

The granting of a continuance will not affect the discovery period in this case. I do not consent to a continuance and I do not consent to any discovery outside of the discovery period.

Your argument that this is a criminal case is in bad faith. If it were a criminal case, you would not be entitled to any discovery at all.

Jason L. Van Dyke  
PO Box 2618  
Decatur, TX 76234  
E - [jasonleevandyke@protonmail.com](mailto:jasonleevandyke@protonmail.com)

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----- Original Message -----

On Friday, May 29, 2020 8:56 AM, Tom Retzlaff <[retzlaff@texas.net](mailto:retzlaff@texas.net)> wrote:

Dumb ass, the Texas Supreme Court held that this is a criminal proceeding, not civil, when they denied your mandamus petition.

But if it will make you happy, the trial will be continued.

And his depo will be taken for the federal case forthwith, too.

Tom Retzlaff

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**From:** [jasonleevandyke@protonmail.com](mailto:jasonleevandyke@protonmail.com)  
**Sent:** May 29, 2020 6:52 AM  
**To:** [retzlaff@texas.net](mailto:retzlaff@texas.net)  
**Reply-to:** [jasonleevandyke@protonmail.com](mailto:jasonleevandyke@protonmail.com)  
**Subject:** Re: McGibney depo  
Mr. Retzlaff:

Please see Rule 190.3(b)(1) concerning the propriety of taking Mr. McGibney's deposition next week. I do not consent to discovery outside of the discovery period for this case.

Jason L. Van Dyke  
PO Box 2618  
Decatur, TX 76234  
E - [jasonleevandyke@protonmail.com](mailto:jasonleevandyke@protonmail.com)

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----- Original Message -----

On Friday, May 29, 2020 12:09 AM, Tom Retzlaff <[retzlaff@texas.net](mailto:retzlaff@texas.net)> wrote:

I wish to confer with you regarding your availability for McGibney's deposition. It is going to be done in the county of his residence. You can appear via video conference, if you choose, at no charge.

This depo will be set next week and I got a Marshall who will be serving the subpoena. I just want to check with you on your availability.

Tom Retzlaff